

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

v.

BENJAMIN HANDLEY,

Defendant.

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**18-CR-167-RJA-HKS**

**NOTICE OF MOTION**

**MOTION BY:**

MaryBeth Covert, Assistant Federal Public  
Defender.

**DATE, TIME & PLACE:**

Before the Honorable H. Kenneth Schroeder, Jr.,  
United States Magistrate Judge, Robert H. Jackson  
United States Courthouse, 2 Niagara Square,  
Buffalo, New York, **on the papers.**

**SUPPORTING PAPERS:**

Affirmation of Assistant Federal Public Defender  
MaryBeth Covert, dated June 20, 2019.

**RELIEF REQUESTED:**

Adjournment of the motion deadline and scheduling  
order for sixty (60) days.

**DATED:**

Buffalo, New York, June 20, 2019.

**/s/ MaryBeth Covert**

MaryBeth Covert

Assistant Federal Public Defender

Federal Public Defender's Office

300 Pearl Street, Suite 200

Buffalo, New York 14202

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marybeth\_covert@fd.org

*Counsel for Defendant Benjamin Handley*

**TO:** Wei Xiang  
Assistant United States Attorney

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

**18-CR-167-RJA-HKS**

v.

**AFFIRMATION**

BENJAMIN HANDLEY,

Defendant.

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**MARYBETH COVERT**, affirms under penalty of perjury that:

1. I am an Assistant Federal Public Defender for the Western District of New York and was assigned to represent the above-named defendant, Benjamin Handley. Mr. Handley moves for a sixty (60) day adjournment of the June 21, 2019 motion deadline and scheduling order.

2. The parties have worked out a pretrial resolution and are awaiting a date for a change of plea hearing from the District Court.

3. Mr. Handley agrees to the exclusion of additional time under the Speedy Trial Act in that the ends of justice are served by such an adjournment and outweigh the best interests of the public and Mr. Handley in a speedy trial.

**WHEREFORE**, it is respectfully requested that the defendant be granted a sixty (60) day adjournment of the June 21, 2019 motion deadline and accompanying scheduling order.

**DATED:** Buffalo, New York, June 20, 2019.

Respectfully submitted,

**/s/ MaryBeth Covert**

MaryBeth Covert

Assistant Federal Public Defender

Federal Public Defender's Office

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*Counsel for Defendant Benjamin Handley*

**TO:** Wei Xiang  
Assistant United States Attorney